

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Prisons Department- Case No.46/1/12/09-10-JCD/SCN – Death of Remand Prisoner Sideshi Kurmaiah – Sub-Jail, Nagar Kurnool on 14-04-2009 –NHRC recommendation to pay a sum of Rs.2,80,000/- as monetary relief to the next kin of the deceased – Sanction accorded – Orders – Issued.

HOME (PRISONS-HRC) DEPARTMENT

G.O.RT.No. 2026

Dated. 24-12-2011.

Read the following:-

- 1.From the Joint Registrar(Law),National Human Rights Commission New Delhi Show Cause Notice dated 08.03.2011 in case No. 46/1/12/2009-10-JCD.
- 2.From the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad Lr.No.SB3/506/2009, dated 30-07-2011.
- 3.Government letter No. 7425/Pri.HRC/2011, dated 08-08-2011.
4. From the Asst. Registrar(Law),National Human Rights Commission New Delhi Letter dated 08.12.2011 in case No. 46/1/12/2009-10-JCD.

ORDER:

In the reference first read above, the National Human Rights Commission has issued Show Cause Notice u/s 18The National Human Rights Commission of Protection of Human Rights Act 1993 to the Chief Secretary, Government of Andhra Pradesh calling upon him to show cause as to why monetary relief should not be recommended to be paid to the next kin of the deceased, Remand Prisoner Sideshi Kurmaiah died on 14.04.2009.

2. In the reference second read above, the Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad has furnished reply to the Show Cause Notice. Accordingly, the Government vide letter third read above has furnished the above report to the National Human Rights Commission for placing the same before the Commission.

3. In the reference fourth read above, the National Human Rights Commission has stated that the Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh informed that proper medical treatment was provided to the prisoner with available medical facilities but the prisoner died due to heart failure. An amount of Rs.20,000/- was also paid to Laxmi W/o the deceased prisoner, Sideshi Kurmaiah by the Tahsildar, Nagarkurnool. Further, he has stated that there are no grounds for recommending payment of compensation, but it is left to the discretion of the National Human Rights Commission. The Commission after considering the material available on record and forensic expert report opined that the deceased was not adequately investigated and treated. The prisoner, Sideshi Kurmaiah died in the custody of the State due to lack of proper investigation and medical treatment, for which the State is liable. The amount of Rs.20,000/-paid to his wife was quite insufficient in this matter and therefore recommended the State of Andhra Pradesh to pay a sum of Rs.3,00,000/-(Rupees three lakh only) to the next of kin of deceased remand prisoner, Sideshi Kurmaiah and stated that the relief already given may be adjusted against this amount and directed to forward the compliance report alongwith proof of payment, within ten weeks i.e., by 15-02-2012.

P.T.O

4. Government after careful examination, hereby accord sanction for an amount of Rs 2,80,000/- (Rupees two lakh and eight thousands only) towards payment of compensation to the legal heir of the deceased prisoner, Sideshi Kurmaiah died on 14.04.2009, after adjusting the relief of Rs. 20,000/- already paid as directed by the National Human Rights Commission, New Delhi.

5. The amount sanctioned in Para (4) above, shall be debited to the Head of Account "2056 Jails – 101. Jails – SH (04) Jails – 500 other charges -501 Compensation (Non Plan).

6. The Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad, is authorized to draw the amount sanctioned in para 4 above and to place at the disposal of the Collector & District Magistrate, Mahabubnagar for making payment to the legal heir of the deceased Prisoner, Sideshi Kurmaiah and submit compliance report along with the proof of payment by 15-02-2012.

7. The Director General and Inspector General of Prisons and Correctional Services Andhra Pradesh, Hyderabad, shall take necessary action accordingly.

8. This order does not require the concurrence of Finance (Exp.Home) Department vide their Memo No. 26130/PRI/A2/2011-1, dated: 19-10-2011.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

**B.P.ACHARYA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad.

The Joint Registrar (Law), National Human Rights Commission, Faridkot House, Copernicus Marg, New Delhi.

The Director of Treasuries & Accounts, A.P., Hyderabad.

The Accountant General, (A&E), A.P., Hyderabad.

The Pay & Accounts Officer, Hyderabad.

The District Treasury Officer, Mahabubnagar.

The Collector & District Magistrate, Mahabubnagar.

Copy to:

The Principal Secretary to Government(Political),
General Administration Department.

The Finance (BG) Department.

SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER